

## **REMARKS**

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application as amended.

### **Formal Matters**

Claims 1-30 had been pending in the application. With this amendment, claims 1, 5, 6, 11-13 and 21 are amended, and claims 2-4, 7-10, 14-20, and 24-30 are canceled. Specifically, independent claim 1 is amended to incorporate all of the features and limitations of claim 4, which is canceled. Claims 5 and 6 are amended to depend from claim 1 instead of claim 4. Claims 11 and 21 are amended to incorporate all of the features and limitations of their base claims, claims 8 and 18, respectively. Claims 12 and 13 are amended to correct minor errors. Care has been taken to ensure no new matter is being entered.

No new issues are raised by these amendments because no additional subject matter is recited in the claims; instead the subject matter of independent claims is added to dependent claims and vice versa. Applicant respectfully requests that this amendment be entered into the application.

### **Rejection of Claims Under 35 U.S.C. §103**

Claims 1-30 are rejected under 35 U.S.C. § 103(a) as unpatentable over Malki et al., U.S. Patent Application Publication No. 2001/0046223 (hereinafter “Malki”) in view of Howe, U.S. Patent No. 7,054,636. This rejection should be withdrawn based on the comments and remarks herein.

Independent claim 1, as amended herein, recites “a plurality of mobile network nodes being located under said mobile node, the plurality of mobile network nodes constituting a local network with said mobile node as a router” and “assigning the subsidiary home addresses to the

mobile network nodes, and if a packet destined for the subsidiary home address assigned to the mobile network nodes arrives, transferring the packet to the corresponding mobile network node, whereby said mobile node performs location registration for the mobile network nodes in the local network managed by said mobile node by proxy, and transfers the packet destined for the mobile network nodes". Thus, according to the present invention, the mobile node is above (in hierarchy) the mobile network nodes. The Examiner contends that Fig. 3 of Malki discloses this arrangement (Office Action, page 7); however, applicant respectfully submits that Fig. 3 does not disclose any function corresponding to mobile network nodes. Instead, Fig. 3 of Malki shows an access router above the mobile node, and a plurality of access routers under a mobility anchor point. Malki teaches that the mobility anchor point is a functionality that can be located within access routers (paragraph [0030], emphasis added). Hence Malki does not teach or suggest a plurality of mobile network nodes being located under said mobile node or the plurality of mobile network nodes constituting a local network with said mobile node as a router.

Further, in Malki, a binding update is created to bind the mobile node's home address to the mobility anchor point (paragraph [0032]), enabling the home address to remain unchanged. Packets are not transferred using a subsidiary home address or a Care-of Address; instead the binding update allows packets to be routed to a mobile node using its home address.

According to the invention recited in claim 1 as amended herein, the subsidiary home address is assigned from mobile node to mobile network nodes so that when they change the registered mobile node, a fresh subsidiary home address is indexed which means that the subsidiary home address is changed according to the mobility and such subsidiary home address provides the highest node on the hierarchy, which is different from the home address disclosed in

Malki where the network mobility is registered on the upper location node. In Malki, the home address is not changed even when the node corresponding to mobile network nodes is moved.

Further, according to the invention recited in claim 1, mobile node is inevitably moved and when the location of connection is changed, the Care-of Address (CoA) is moveably changed. By contrast, Howe discloses in Fig. 2 the visited wireless switch corresponding to mobile node according to the present invention, but the visited wireless switch of Howe is not moved from the CoA.

Accordingly, the invention recited in claim 1 is different from those of the cited references in the address indexing system and this difference may bring the surprising effect that a plurality of globally accessible home addresses may be assigned to the moving mobile node which may also index all or a part of mobile network nodes. Namely, in a system where the network *per se* moves but the terminal or mobile network node is not moved between the networks, a service to supply a part of the terminal connected to the moving network with a global address may be attainable. For example, when a provider who offers an internet connection service on a mobile body, such as a vehicle, possesses a limited number of global addresses, the global address may be supplied only to the limited number of the mobile network nodes according to the invention, and such particular services could never be conceived from the cited references.

It has been held by the courts that to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. See, *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). As illustrated above, the hypothetical combination of Malki and Howe does not disclose or suggest a plurality of mobile network nodes under a mobile node and assigning subsidiary home addresses to the mobile network nodes as recited in

the independent claims of the present invention. Hence, this hypothetical combination does not disclose or suggest each and every feature recited in independent claims 1, 11 and 21, so that *prima facie* obviousness has not been established. Thus, these independent claims are patentably distinguishable over the art of record in the application, as are their dependent claims, claims 5-6, 12-13, and 22-23, respectively.

Accordingly, withdrawal of this rejection is respectfully requested.

**Conclusion**

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejection and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



Katherine R. Vieyra  
Registration No. 47,155

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

KRV:ch